

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS (Eastern Division)**

DIRECTV, Inc.

Plaintiff

VS.

Edward J. DeStefano, Jr.

Defendant

Case No.: 03cv12327 RGS

**AFFIDAVIT OF ATTORNEY FOR
PLAINTIFF'S REQUEST FOR DEFAULT**

Now comes John M. McLaughlin, Attorney for the Plaintiff in the above-entitled action,
and, on oath, states the following:

1. On November 20, 2003, the Plaintiff filed a Complaint against the Defendant, **Edward J. DeStefano, Jr.**, in United States District Court, alleging violations of 47 U.S.C. § 605 and violations of 18 U.S.C § 2511.
2. On March 4, 2004, the said Defendant was served by leaving the pertinent documentation at the **last and usual** place of abode of the Defendant by a person who is not a party to this action (see copy of Return of Service marked **Exhibit A**, attached hereto, and made a part hereof).
3. Pursuant to the provisions of Rule 12 of the Federal Rules of Civil Procedure, the Defendant had twenty days after being served with the summons and complaint within which to serve an answer to Plaintiff's Complaint.
4. To date, the Defendant has failed and neglected to file an answer to Plaintiff's Complaint or to otherwise defend against Plaintiff's claims.
5. I have filed herewith a Request for Entry of Default, seeking that a Notice of Default be entered by this Court.

6. I have also filed herewith Form of Order entitled Notice of Default, for the Court's use if it shall determine that the said Defendant is in default.

Subscribed and sworn to, under the pains and penalties of perjury.

Respectfully Submitted for the Plaintiff,
DIRECTV, INC.
By Its Attorney,


Date

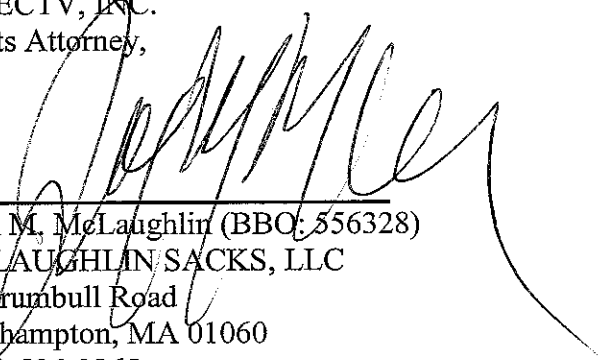

John M. McLaughlin (BBO: 556328)
MCLAUGHLIN SACKS, LLC
31 Trumbull Road
Northampton, MA 01060
(413) 586-0865

EXHIBIT A

AO 440 (Rev. 10/93) Summons in a Civil Action

UNITED STATES DISTRICT COURT

District of MASSACHUSETTS

DIRECTV, Inc.

V.

Edward J. DeStefano Jr.

SUMMONS IN A CIVIL CASE

03 CV 12327 RGS
CASE NUMBER:

TO: (Name and address of Defendant)

Edward J. DeStefano Jr.
1 Presidential Way, Suite 109
Woburn, MA 01801

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

John M. McLaughlin
McLaughlin Sacks, LLC
31 Trumbull Road
Northampton, MA 01060

an answer to the complaint which is herewith served upon you, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.



CLERK

(By) DEPUTY CLERK

DATE

NOV 20 2003

AO 440 (Rev. 10/93) Summons in a Civil Action

RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE
NAME OF SERVER (PRINT)	TITLE

Check one box below to indicate appropriate method of service

- ☐ Served personally upon the third-party defendant. Place where served: _____
- ☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
Name of person with whom the summons and complaint were left: _____
- ☐ Returned unexecuted: _____
- ☐ Other (specify): _____



Essex County Sheriff's Department • PO Box 2019 • Salem, MA 01970 • 978-750-1900 ext. 3590

Essex, ss.

March 5, 2004

I hereby certify and return that on 3/4/2004 at 12:27 pm I served a true and attested copy of the summons, complaint, civil cover sheet, case cover sheet and corporate disclosure in this action in the following manner: To wit, by leaving at the last and usual place of abode of Edward J. DeStefano, Jr., 30 Heritage Lane, Saugus, MA 01906, and by mailing 1st class to the above address on 3/5/2004. Basic Service Fee (\$20.00), Conveyance (\$3.00), Travel (\$6.40), Postage and Handling (\$3.00), Copies (\$10.00) Total Charges \$42.40. Service approved by Attorney

Deputy Sheriff Kenneth Feeney

Deputy Sheriff

04004990



Middlesex Sheriff's Office • Civil Process Division, P.O. Box 410180, Cambridge, MA 02141-1819 • (617) 547-1171

Middlesex, ss.

February 20, 2004

By virtue of this writ I have made diligent search for the within-named EDWARD J. DESTEFANI, JR. and for his/her/its last and usual place of abode, and for his tenant, agent, or attorney, but could not find him/her/it within this county; I therefore return this writ without service. Deputy Expense (\$15.00) Total Charges \$15.00

Deputy Sheriff